

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JAMES JAMES,

Plaintiff,

v.

COUNTY OF MERCER, et al.,

Defendants.

Civil Action No. 15-5748 (PGS) (LHG)

MEMORANDUM AND ORDER

This matter has come before the Court, *in forma pauperis*, on the civil rights Complaint of Plaintiff James James pursuant to 42 U.S.C. § 1983. The Court previously dismissed the Complaint on screening, finding that, among other things, some of Plaintiff's claims were time-barred, while others failed to state a claim upon which relief may be granted. ECF No. 6. For example, the Court stated that "Plaintiff has provided absolutely no information about the facts and circumstances of his arrest. He merely states in a conclusory manner that he was arrested for murder without probable cause. Without any factual context, the Court is unable to find that Plaintiff has stated a claim for false arrest and/or imprisonment." *Id.* at 8 n.4. The Court, however, gave Plaintiff an opportunity to amend the Complaint and cure the defects identified by the Court. *Id.* at 11. Presently before the Court is Plaintiff's Amended Complaint and supporting brief. ECF Nos. 8 & 8-1.

However, the Amended Complaint does not cure any of the defects identified by the Court. Indeed, while the original Complaint was six pages, the Amended Complaint is two pages, and contains *even less* factual allegations than the original Complaint. In addition, the "supporting" brief seems to be a near-identical recitation of the Amended Complaint. If this is

Plaintiff's honest attempt at "curing" the defective Complaint, the Court is fairly convinced that Plaintiff has no valid claims to assert. Nevertheless, the Court will grant Plaintiff one last chance to cure the defects identified by the Court's October 16, 2015 opinion, ECF No. 6—failure to cure the defects and state a valid claim will result in the dismissal of the case *with prejudice*.

IT IS therefore on this 1 day of June, 2017,

ORDERED that the Amended Complaint, ECF No. 8, is hereby **DISMISSED WITHOUT PREJUDICE**; it is further

ORDERED that within thirty (30) days from the entry of this Order, Plaintiff shall amend the complaint to cure the defects identified by the Court in its October 16, 2015 opinion; failure to properly amend will result in the dismissal of the case *with prejudice*; and it is further

ORDERED that that the Clerk shall serve this Order upon Plaintiff by regular mail, and shall **CLOSE** the file.



Peter G. Sheridan
United States District Judge